



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/519,578

12/27/2004

Takahiro Kosaka

542-015.005

2487

4955

7590

09/25/2006

WARE FRESSOLA VAN DER SLUYS &
ADOLPHSON, LLP
BRADFORD GREEN, BUILDING 5
755 MAIN STREET, P O BOX 224
MONROE, CT 06468

EXAMINER

SHAH, MANISH S

ART UNIT

PAPER NUMBER

2853

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

87

Office Action Summary

Application No.

10/519,578

Applicant(s)

KOSAKA, TAKAHIRO

Examiner

Manish S. Shah

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/27/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yue et al. (# US 6461418) in view of Takamura (# JP 2000-096461).

Yue et al. discloses a discharging ink for ink jet printing including a nonionic surfactant having HLB value of 4 to 14 (see Abstract; column: 3, line: 10-20) and ethylene oxide (column: 5, line: 1-5), water (see Examples) and aqueous colorant (see Abstract; column: 4, line: 25-30). They also disclose that the nonionic surfactant is in amount of 0.01 to 10% by weight (see Abstract).

Yue et al. differs from the claim of the present invention is that the ink includes guanidine weak acid salt in an amount of 0.1 to 5% by weight.

Takamura et al. teaches that to get the sharp printed image ink includes guanidine weak acid salt in an amount of 0.1 to 5% by weight ([0005]-[0007]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ink composition of Yue et al. by the aforementioned teaching of Takamura in order to have a sharp printed image.

Art Unit: 2853

2. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takamura (# JP 2000-096461) in view of Yue et al. (# US 6461418).

Takamura disclose a process for preparing discharged polyester fiber cloth includes a step of ejecting a discharge ink, which includes a nonionic surfactant (see Abstract; see Examples; [0009]), guanidine weak acid salt in an amount from 0.5 to 40% by weight ([0007]), water (see Examples) and aqueous colorant (see Examples). They also disclose that the nonionic surfactant is in amount of 0.01 to 10% by weight (see Examples). They also disclose the step of wet heat treatment or dry heat treatment at 90 to 200 degree C ([0010]), and a step of soaping treatment (see Examples).

Takamura differs from the claim of the present invention is that the ink having nonionic surfactant having HLB value of 9 to 16, ethylene oxide.

Yue et al. teaches that to get the rub resistance and high quality printed image, the discharging ink for ink jet printing including a nonionic surfactant having HLB value of 4 to 14 (see Abstract; column: 3, line: 10-20) and ethylene oxide (column: 5, line: 1-5), water (see Examples) and aqueous colorant (see Abstract; column: 4, line: 25-30). They also disclose that the nonionic surfactant is in amount of 0.01 to 10% by weight (see Abstract).

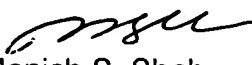
It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ink composition of Takamura by the aforementioned teaching of Yue et al. in order to get the rub resistance, water fastness and lightfastness high quality printed image.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Manish S. Shah
Primary Examiner
Art Unit 2853

MSS

9/15/06